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Attorney Docket No. A32562 - 070050.1370  
U.S. Pat. Ser. No. 09/838,862

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ramadan et al.  
Serial No. : 09/838,862 Examiner : Rahll, Jerry T.  
Filed : April 20, 2001 Group Art Unit: 2874  
For : COUPLER-MULTIPLEXER PERMUTATION SWITCH

RESPONSE TO OFFICE ACTION

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

November 28, 2005

Date of Deposit

Eric J. Faragi

Attorney Name

*Eric J. Faragi*  
Signature

51,259

PTO Registration No.

November 28, 2005

Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the Office Action dated August 24, 2005. Please consider the following remarks:

Remarks/Arguments begin on page 2 of this paper.

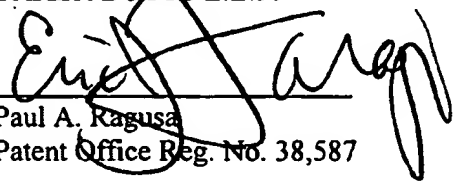
Information date stamped the Ramadan publication on May 12, 2000. See Exh. C. Applicants respectfully point out to the Examiner that in Exhs. A and C, the date stamp is indicated on the first article of Vol. 18 of the Journal of Lightwave Technology of April 2000, which is a different article than the Ramadan publication, which was also published in the same issue. Applicants direct the Examiner's attention to Exh. B, which shows the table of contents of Vol. 18, and indicates that on page 579 the Ramadan publication begins, and on page 461 the article shown in Exhs. A and C begins. Thus, Exhs. A-C indicate a date of public accessibility less than one-year prior to the filing of the instant application. Accordingly, since the burden of proof rests with the Examiner, the rejection should be withdrawn.

Conclusion

In view of the foregoing, this application is now believed to be in condition for formal allowance. Prompt and favorable action is respectfully requested. Applicants do not believe that any additional fee is required in connection with the submission of this document. However, should any additional fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit or any overpayments made, to Deposit Account 02-4377.

Respectfully submitted,  
BAKER BOTTS L.L.P.

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